

### Request for Reconsideration

Favorable reconsideration of the present application is request in view of the following remarks.

Claims 1, 2, and 6-14 remain pending, with Claims 1 and 14 being independent. No claims have been amended herein.

Claims 1, 2, 7, 9, and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsumoto et al. (U.S. Patent No. 6,932,722), Mandel et al. (U.S. Patent No. 5,289,251), and Endo et al. (U.S. Patent No. 6,357,743). Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsumoto et al., Mandel et al., and Endo et al., and further in view of Chung (U.S. Patent No. 6,231,039). Claims 8 and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsumoto et al., Mandel et al., and Endo et al., and Chung, and further in view of Watanabe et al. (U.S. Patent No. 5,477,298). Claims 10-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Matsumoto et al., Mandel et al., Endo et al., and Chung, and further in view of Fukatsu et al. (U.S. Patent No. 6,382,614).

The rejections are respectfully traversed, as Applicant submits the claims of the present application recite patentable subject matter not taught or suggested by the cited references, for at least the following reasons.

### **Independent Claim 1**

Applicant respectfully submits that the combination of Matsumoto et al., Mandel et al., and Endo et al. fails to teach or suggest a sheet processing apparatus as recited in Claim 1. For example, the combination of references fails to teach or suggest a loading position control means for controlling a time at which first and second lateral aligning means move from aligning positions to retreat positions so as to displace the loading positions of succeeding sheet bundles from each other along the sheet conveying direction. This feature of the invention is shown, for example, in Figures 13A, 13B, 15A, 15B, 16A, and 16B of the present application. In example embodiments shown in these Figures, aligning members 6L and 6R selectively move from aligning positions C to retreat positions A. See Figs. 13A, 13B, 15A, and 15B. As a result, the sheet bundles SH are displaced from each other along the sheet conveying direction. See Figs. 16A and 16B.

Matsumoto et al. is cited in the Office Action as disclosing a sheet processing apparatus that allegedly includes some of the elements of the sheet processing apparatus recited in Claim 1. The Office Action acknowledges, however, that Matsumoto et al. does not disclose a loading means that displaces sheet bundles from each other along the sheet conveying direction. To this end, Applicant notes the cited first and second lateral aligning means 412, 412A, 412B, and 418 of Matsumoto et al. offset the sheet bundles in lateral directions. See, e.g., Matsumoto et al., Fig. 7 and col. 11, lines 25-36. Thus, Applicant submits Matsumoto et al. cannot in any way be understood to teach or suggest first and second lateral aligning means like those recited in Claim 1.

Mandel and Endo et al. are cited in the Office Action in order to cure the deficiency of Matsumoto et al. with respect to the displacement of sheet bundles along the sheet conveying direction. More specifically, the Office Action asserts Mandel discloses an apparatus wherein sheet bundles are displaced from each other along the sheet conveying direction, and asserts Endo et al. discloses an apparatus wherein sheet bundles are aligned by selectively moving alignment members. The Office Action concludes, therefore, that it would have been obvious to one of ordinary skill in the art to modify Matsumoto et al. to include offsetting of the sheet bundles in the sheet conveying direction by selectively moving the alignment members in view of the disclosures of Mandel et al. and Endo et al.

Applicant respectfully submits, however, that even if the teachings of Mandel et al. and Endo et al. are taken collectively with Matsumoto et al., the combination of references still fails to suggest first and second lateral aligning means that move from an aligning position to a retreat positions, whereby succeeding sheet bundles are displaced from each other along the sheet conveying direction, as recited in Claim 1. Specifically, Applicant submits Mandel et al. does not teach or suggest any sort of first and second lateral aligning means that displaces sheet bundles from each other along the sheet conveying direction. Applicant also submits Endo et al.'s alignment members 51A and 51B function in a manner similar to the aligning members of Matsumoto et al., that is, to align sheets in a lateral direction, not a the sheet conveying direction. See, e.g., Endo et al., Fig. 5 and col. 4, lines 6-23.

In sum, Matsumoto et al., Mandel et al., and Endo et al. fail to individually teach, or collectively suggest, a sheet processing apparatus comprising first and second lateral aligning means move from an aligning position to a retreat positions, thereby displacing succeeding sheet bundles from each other along the sheet conveying direction, as recited in Claim 1 of the present application.

Applicant further submits that none of the other cited references, whether taken individually or collectively, teach or suggest the features recited in Claim 1 that are not taught or suggested by the combination of Matsumoto et al., Mandel et al., and Endo et al. Accordingly, Applicant submits that Claim 1 recites patentable subject matter not taught or suggested by any of the references of record.

#### **Independent Claim 14**

Applicant respectfully submits that the combination of Matsumoto et al., Mandel et al., Endo et al., Chung, and Watanabe et al. fails to teach or suggest a sheet processing apparatus as recited in Claim 14. For example, Applicant submits the references fail to teach or suggest loading position control means for controlling the speed of a sheet bundle conveying means so as to displace the loading positions of succeeding sheet bundles from each other along the sheet conveying direction. Similar to the above discussion with respect to Claim 1, this feature allows for sheets to be displaced in the conveying direction on the basis of movement of alignment members, this time relative to the speed of the sheet bundle.

As noted above with respect to Claim 1, the Office Action acknowledges that Matsumoto et al. does not disclose sheet bundles to be loaded with the bundles displaced from

each other along the sheet conveying direction. As such, Applicant submits that the reference cannot be seen to teach or suggest a loading position control means for controlling the speed of a sheet bundle conveying means so as to displace sheet bundles along the sheet conveying direction, as recited in Claim 1.

Applicant further submits that none of Mandel et al., Endo et al., Chung, and Watanabe et al. cures the deficiency of Matsumoto et al. with respect to Claim 14. That is, none of Mandel et al., Endo et al., Chung, and Watanabe et al. discloses a loading control means controlling the speed of a sheet bundle so as to displace the loading positions of succeeding sheet from each other along the sheet conveying direction, as recited in independent Claim 14.

Applicant still further submits that none of the other references, whether taken individually or collectively, teach or suggest the features recited in Claim 14 that are not taught or suggested by the combination of Matsumoto et al., Mandel et al., Endo et al., Chung, and Watanabe et al. Accordingly, Applicant submits that Claim 14 recites patentable subject matter not taught or suggested by any of the references of record.

### **Dependent Claims**

The remaining claims in the present application are dependent claims that depend directly or indirectly from Claims 1 and 14 and are allowable by virtue of their dependency and in their own right for further defining Applicant's invention. Favorable and independent consideration thereof is respectfully sought.

Conclusion

Applicant submits that all outstanding matters in this application have been addressed and that it is in condition for allowance. Favorable reconsideration and early passage to issue of the above application is respectfully sought.

Applicant's undersigned attorney may be reached in our Washington office by telephone at (202) 530-1010. All correspondence should continue to be directed to our New York office at the below-listed address.

Respectfully submitted,

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